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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|------------------------|---------------------|------------------|
| 09/769,012 | 01/24/2001 | Thomas William Ellenby | 215.39 | 5540 |

7590 04/22/2004

Joseph Page
GeoVector Corporation
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San Francisco, CA 94107

[REDACTED]
EXAMINER

SUN, XIUQIN

| ART UNIT | PAPER NUMBER |
|----------|--------------|
| 2863 | |

DATE MAILED: 04/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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|---------------------------------|-------------|---|---------------------|
| 09/769012 | 01/24/2001 | Ellenby et al. | 215,39 |
| EXAMINER | | XIUQIN SUN | |
| ART UNIT | PAPER | 2863 | 20040412 |

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Commissioner-for-Patents

Applicants faxed the response to examiner on 04-08-2004, referring that a response to PTO dated 01-08-2004 was acknowledged.

As stated in the restriction action on 3-10-2003, applicant is advised that a reply to this requirement (3-10-2003) must include an identification of the species that is elected consistent with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election. Since applicant did not specify what claims or claim belong to species one, the reply is consider non-responsive.

Per telephone conversation dated 04-08-2004 with attorney Joseph E. Page, a response to Examiner's office action dated 03-10-2003 for restriction has been sent to PTO on 04-04-2003. However no indications to such receipt of restriction/election was ever shown in either PALM or eDAN systems as of today (4-12-2004).

XS
04/12/04